



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/582,490

04/10/2007

Marcus Wallmark

4660-9

2153

23117

7590

04/03/2008

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

NGUYEN, HAI V

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

04/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,490	Applicant(s) WALLMARK ET AL.	
	Examiner HAI V. NGUYEN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/12/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit 2618

DETAILED ACTION

1. This Office Action is in response to the application filed on 12 June 2006.
2. Claims 1-15 are presented for examination.

Information Disclosure Statement

3. The information disclosure statement filed 12 June 2006 regarding to the document **DE 100 19 651 A1**, fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

4. Claims 13-15 are objected to because of the following informalities:
5. The dependent claims 13-15 depend on the independent method claim 11 in which it is the independent system claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 5,6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Regarding claims 5, 6 the phrase "**and/or**" renders the claim(s) indefinite because the claim(s) include(s) element not actually disclosed (those encompassed by "**and**" and "**or**"), thereby rendering the scope of the claim(s) unascertainable.

Art Unit 2618

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1-2, 5-12, 14-15 are rejected under 35 U.S.C. 102(a) as being anticipated by **Greger et al. WO 01/35613 A1**.

11. As to claim 1, Greger discloses substantially the invention as claimed, including an exchangeable power-supplying unit (*Figs. 1, 2, elements 100B, 100C*) arranged to supply electric power to a device (*mobile telephone 100A*), said power-supplying unit (*Figs. 1, 2, elements 100B, 100C*) comprising one or several processing units (*Figs. 1, 2, elements 129, 129', 147*) arranged to pre-process information and to communicate said pre-processed information to the device (*mobile telephone 100A*) for providing said device (*mobile telephone 100A*) with one or several additional functionalities (*Figs. 1, 2, elements GPS 131, Bluetooth 133*).

12. As to claim 2, Greger discloses, wherein said power-supplying unit is connectable to form an integral part of the device (*Figs. 1, 2*).

13. As to claim 3, Greger discloses, wherein said power-supplying unit comprises a communication link (*Fig. 1, the bidirectional arrow from the element 127 to the element 105*) for communicating said pre-processed information to the device.

14. As to claim 5, Greger discloses, wherein said unit comprises one or several circuit boards and/or one or several integrated circuits, comprising hardware and possible software to form one or several processing units (*Greger, Figs. 1, 2*).

Art Unit 2618

15. As to claim 6, Greger discloses, wherein a circuit board and/or an integrated circuit comprises a positioning device (*Greger, Figs. 1, 2*).
16. As to claim 7, Greger discloses, wherein that said unit is a battery (*Greger, Figs. 1, 2*).
17. Claim 8 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.
18. As to claim 9, Greger discloses, wherein said device is a mobile phone (*Greger, Figs. 1, 2*).
19. As to claim 10, Greger discloses, wherein the power-supplying unit has access to a receive/transmit channel of the wireless device (*Fig. 1, the bidirectional arrow from the element 127 to the element 105*).
20. Claim 11 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.
21. Claim 12 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.
22. Claims 14, 15 have similar limitations of claims 6, 9; therefore, they are rejected under the same rationale as in claim 6, 9.

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit 2618

24. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Greger as applied to claims 1-3 above, and further in view of **Harvey** et al. US

2004/0198392 A1.

25. As to claim 4, Greger does not explicitly disclose, wherein said communication link is a high-speed data bus.

Harvey discloses the communication link is a high-speed data bus (*Fig. 3, element high speed crystal 314*) for the purpose of *normal full power operation* (*Harvey, [0051]*).

26. Claim 13 has similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

27. Claims 1-2, 5-12, 14-15 are rejected under 35 U.S.C. 102(a) as being anticipated by **Ayoub** et al. **WO 00/02361**.

28. As to claim 1, Ayoub discloses substantially the invention as claimed, including an exchangeable power-supplying unit (*Fig. 3, element 60*) arranged to supply electric power to a device (*mobile terminal 10*), said power-supplying unit (*Figs. 1, 2, elements 100B, 100C*) comprising one or several processing units (*Figs. 1, 2, element 70*) arranged to pre-process information and to communicate said pre-processed information to the device (*mobile terminal 10*) for providing said device (*mobile terminal 10*) with one or several additional functionalities (*Fig. 3, elements applications*).

29. As to claim 2, Ayoub discloses, wherein said power-supplying unit is connectable to form an integral part of the device (*Fig. 3*).

Art Unit 2618

30. As to claim 3, Ayoub discloses, wherein said power-supplying unit comprises a communication link (*Fig. 1, the data bus 40, Fig. 2, the data bus 85'*) for communicating said pre-processed information to the device.

31. As to claim 5, Ayoub discloses, wherein said unit comprises one or several circuit boards and/or one or several integrated circuits, comprising hardware and possible software to form one or several processing units (*Fig. 2*).

32. As to claim 6, Ayoub discloses, wherein a circuit board and/or an integrated circuit comprises a mass storage (*Fig. 2, elements 81, 82*).

33. As to claim 7, Ayoub discloses, wherein that said unit is a battery (*Fig. 2, expansion module 60*).

34. Claim 8 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

35. As to claim 9, Ayoub discloses, wherein said device is a mobile phone (*Figs. 1, 3*).

36. As to claim 10, Ayoub discloses, wherein the power-supplying unit has access to a receive/transmit channel of the wireless device (*Fig. 1, the data bus 40 carrying the data between the wireless device 10 and expansion module 60*).

37. Claim 11 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

38. Claim 12 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

39. Claims 14, 15 have similar limitations of claims 6, 9; therefore, they are rejected under the same rationale as in claim 6, 9.

Art Unit 2618

Claim Rejections - 35 USC § 103

40. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

41. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ayoub** as applied to claims 1-3 above, and further in view of **Harvey** et al. US

2004/0198392 A1.

42. As to claim 4, Ayoub does not explicitly disclose, wherein said communication link is a high-speed data bus.

Harvey discloses the communication link is a high-speed data bus (*Fig. 3, element high speed crystal 314*) for the purpose of *normal full power operation* (*Harvey, [0051]*).

43. Claim 13 has similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

Claim Rejections - 35 USC § 102

44. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit 2618

45. Claims 1-2, 5-12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by **O'Grady et al. US 2002/0175665 A1**.

46. As to claim 1, O'Grady discloses substantially the invention as claimed, including an exchangeable power-supplying unit (*Figs. 1, 5, element 10*) arranged to supply electric power to a device (*PDA or mobile telephone 90*), said power-supplying unit (*Figs. 1, 5, element 10*) comprising one or several processing units (*Fig. 1, element 22*) arranged to pre-process information and to communicate said pre-processed information to the device (*PDA or mobile telephone 90*) for providing said device with an additional functionality (*Figs. 1, 3, element media decoder*).

47. As to claim 2, O'Grady discloses, wherein said power-supplying unit is connectable to form an integral part of the device (*Figs. 1, 2*).

48. As to claim 3, O'Grady discloses, wherein said power-supplying unit comprises a communication link (*Fig. 1, the control interface circuitry 32*) for communicating said pre-processed information to the device.

49. As to claim 5, O'Grady discloses, wherein said unit comprises one or several circuit boards and/or one or several integrated circuits, comprising hardware and possible software to form one or several processing units (*Fig. 1*).

50. As to claim 6, O'Grady discloses, wherein a circuit board and/or an integrated circuit comprises a mass storage (*Fig. 1, element 24 or 26*).

51. As to claim 7, O'Grady discloses, wherein that said unit is a battery (*Figs. 1, 5*).

52. Claim 8 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

Art Unit 2618

53. As to claim 9, O'Grady discloses, wherein said device is a mobile phone (*Figs. 1, 5*).

54. As to claim 10, O'Grady discloses, wherein the power-supplying unit has access to a receive/transmit channel of the wireless device (*Figs. 1, 5*).

55. Claim 11 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

56. Claim 12 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

57. Claims 14, 15 have similar limitations of claims 6, 9; therefore, they are rejected under the same rationale as in claim 6, 9.

Claim Rejections - 35 USC § 103

58. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

59. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

O'Grady as applied to claims 1-3 above, and further in view of **Harvey et al. US 2004/0198392 A1**.

60. As to claim 4, O'Grady does not explicitly disclose, wherein said communication link is a high-speed data bus.

Harvey discloses the communication link is a high-speed data bus (*Fig. 3, element high speed crystal 314*) for the purpose of *normal full power operation* (*Harvey, [0051]*).

Art Unit 2618

61. Claim 13 has similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

62. Claims 1-2, 5-12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by **Kikinis et al. US 6,243,596 B1**.

63. As to claim 1, Kikinis discloses substantially the invention as claimed, including an exchangeable power-supplying unit (*Figs. 9-12, element 100*) arranged to supply electric power to a device (*mobile telephone 310*), said power-supplying unit (*Figs. 9-12, element 100*) comprising one or several processing units (*Fig. 1, element CPU 410*) arranged to pre-process information and to communicate said pre-processed information to the device for providing said device with an additional functionality (*Figs. 9-12, acting as a portable computer with Internet browsing, col. 15, lines 10-25*).

64. As to claim 2, Kikinis discloses wherein said power-supplying unit is connectable to form an integral part of the device (*Figs. 9-12*).

65. As to claim 3, Kikinis discloses, wherein said power-supplying unit comprises a communication link (*Fig. 12, the bus 410*) for communicating said pre-processed information to the device.

66. As to claim 5, Kikinis discloses, wherein said unit comprises one or several circuit boards and/or one or several integrated circuits, comprising hardware and possible software to form one or several processing units (*Figs. 9-12*).

67. As to claim 6, Kikinis discloses, wherein a circuit board and/or an integrated circuit comprises a mass storage (*Fig. 12, element 403 or 404*).

68. As to claim 7, Kikinis discloses, wherein that said unit is a battery (*Figs. 9-12*).

Art Unit 2618

69. Claim 8 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

70. As to claim 9, Kikinis discloses, wherein said device is a mobile phone (*Figs. 9-12*).

71. As to claim 10, Kikinis discloses, wherein the power-supplying unit has access to a receive/transmit channel of the wireless device (*Figs. 9-12*).

72. Claim 11 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

73. Claim 12 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

74. Claims 14, 15 have similar limitations of claims 6, 9; therefore, they are rejected under the same rationale as in claim 6, 9.

Claim Rejections - 35 USC § 103

75. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

76. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kikinis** as applied to claims 1-3 above, and further in view of **Harvey et al. US 2004/0198392 A1**.

77. As to claim 4, Kikinis does not explicitly disclose, wherein said communication link is a high-speed data bus.

Art Unit 2618

Harvey discloses the communication link is a high-speed data bus (*Fig. 3, element high speed crystal 314*) for the purpose of *normal full power operation* (Harvey, [0051]).

78. Claim 13 has similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

79. Claims 1-2, 5-12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by **Schaeffer et al. US 2002/0013161 A1**.

80. As to claim 1, Schaeffer discloses substantially the invention as claimed, including an exchangeable power-supplying unit (*Figs. 1, 4, element 10*) arranged to supply electric power to a device (*mobile telephone 48*), said power-supplying unit (*Figs. 1, 4, element 10*) comprising one or several processing units (*Fig. 5, element 130*) arranged to pre-process information and to communicate said pre-processed information to the device (*mobile telephone 48*) for providing said device with an additional functionality (*Figs. 1, 4, camera*).

81. As to claim 2, Schaeffer discloses wherein said power-supplying unit is connectable to form an integral part of the device (*Figs. 1, 4*).

82. As to claim 3, Schaeffer discloses, wherein said power-supplying unit comprises a communication link (*Fig. , camera interface 78*) for communicating said pre-processed information to the device.

83. As to claim 5, Schaeffer discloses, wherein said unit comprises one or several circuit boards and/or one or several integrated circuits, comprising hardware and possible software to form one or several processing units (*Figs. 1, 4*).

Art Unit 2618

84. As to claim 6, Schaeffer discloses, wherein a circuit board and/or an integrated circuit comprises a mass storage (*Figs. 4, 5, elements 64, 128*).

85. As to claim 7, Schaeffer discloses, wherein that said unit is a battery (*Figs. 1, 4, element 10*).

86. Claim 8 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

87. As to claim 9, Schaeffer discloses wherein said device is a mobile phone (*Figs. 1, 4*).

88. As to claim 10, Schaeffer discloses, wherein the power-supplying unit has access to a receive/transmit channel of the wireless device (*Figs. 1, 4*).

89. Claim 11 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

90. Claim 12 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

91. Claims 14, 15 have similar limitations of claims 6, 9; therefore, they are rejected under the same rationale as in claim 6, 9.

Claim Rejections - 35 USC § 103

92. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit 2618

93. Claim 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Schaeffer as applied to claims 1-3 above, and further in view of **Harvey** et al. US

2004/0198392 A1.

94. As to claim 4, Schaeffer does not explicitly disclose, wherein said communication link is a high-speed data bus.

95. Harvey discloses the communication link is a high-speed data bus (*Fig. 3, element high speed crystal 314*) for the purpose of *normal full power operation* (Harvey, [0051]).

96. Claim 13 has similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

97. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Art Unit 2618

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAI V. NGUYEN whose telephone number is (571)272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hai V. Nguyen/
Examiner, Art Unit 2618

/Matthew D. Anderson/
Supervisory Patent Examiner, Art Unit 2618